

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

LAURA M. TOOMEY,

Petitioner,

v

ALISA R. WILLIAMS,

Respondent.

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Civil Action No. PWG-15-3135

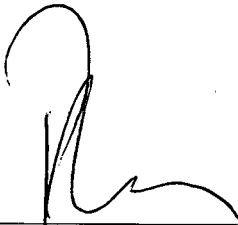
MEMORANDUM OPINION

On October 8, 2015, Laura M. Toomey's Petition for a Peace Order against Alisa R. Williams was granted in Case No. 0601SP04608201, in the District Court of Maryland for Montgomery, County. ECF No. 2. On October 15, 2015, the United States filed notice to remove the case to this Court and an extension of time to respond because Williams is an employee of the National Institutes of Health ("NIH"), an agency of the United States Department of Health and Human Services, who was acting within the scope of her employment at NIH at the time the incident at issue in the peace order took place. ECF Nos. 1, 5. Counsel states the case was received by NIH managers on October 8, 2015, but Toomey never properly served Williams in her individual or official capacity. Further, Toomey failed to serve the United States Department of Health and Human Services, the Attorney General, or the U.S. Attorney for the District of Maryland as required by Federal Rules of Civil Procedure. *See* Fed. R. Civ. P. 4(i). The United States also filed a motion for extension of time to file state court papers. ECF No. 7.

The record shows that the peace order issued by Judge James Bernard Sarsfield on October 8, 2015, was effective through October 15, 2015. Temp. Peace Order 1. Thus, when the

case was removed to this district, the peace order was either no longer in effect or about to expire. The peace order has expired and no other issue is evident. There is no case or controversy presented for this Court to consider. *See Pedersen v. Geschwind*, No. JKB-15-1713, --- F. Supp. 3d ----, 2015 WL 6599183, at *5 (D. Md. Oct. 27, 2015) (discussing Article III case or controversy requirement). Accordingly, this case will be dismissed. *See id.* (dismissing case where plaintiff “failed to allege an injury redressable through the . . . relief that he [sought]”). A separate Order follows.

11/6/15
Date



Paul W. Grimm
United States District Judge